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March 23, 2025

VIA ECF

Honorable Sidney H. Stein
U.S. District Judge, Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: United States v. Robert Menendez, et al., Case No. 1:23-cr-00490-SHS

Dear Judge Stein:

As the Court is aware, this Firm represents Defendant Wael Hana in the above-captioned matter. As the Court is also aware, Mr. Hana has two pending motions before Your Honor: one seeking bail pending appeal, which was filed on February 5, 2025 and fully briefed as of February 22, 2025, *see* ECF Nos. 744, 760, 765; and one seeking a brief adjournment of Mr. Hana's surrender date, which is currently scheduled for April 4, 2025, *see* ECF No. 788, now less than two weeks away. We understand from the recent filing by counsel for Mr. Daibes, ECF No. 794, that Mr. Daibes has received a designation by the Bureau of Prisons, and we write to advise the Court that, despite being sentenced on the same day as Mr. Daibes, Mr. Hana has still not been designated. Accordingly, the concerns articulated in Mr. Hana's prior filings with respect to having to report to and be housed at the Metropolitan Detention Center remain, and are even more salient than ever, though that is clearly not what Your Honor intended.

In addition, I am happy to report that, although it was not the case at the time of Mr. Hana's sentencing, Mr. Hana's wife and daughters have now been permitted to come to the United States and recently arrived in New Jersey. Mr. Hana has been endeavoring to obtain Social Security numbers for his twin daughters, who are U.S. citizens, but given the similarity of their names and their date of birth, the Social Security office has required that some additional steps be undertaken before those numbers can be assigned and provided to Mr. Hana and his family. Mr. Hana's wife is not a citizen and does not speak English fluently, and it would be much more difficult for her to navigate these bureaucratic issues in his absence. Thus, in addition to the reasons already submitted, a brief adjournment to his surrender date for 45 days would also allow him to address these issues for his 18-month-old twin daughters.

For these reasons, and those set forth in his prior submissions, including the benefits that would inhere in an orderly process of making an application to the Second Circuit should Your Honor deny the pending motion for bail pending appeal, Defendant Wael Hana respectfully renews

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his request for a 45-day adjournment of his surrender date from April 4, 2025 to May 19, 2025. Of course, if Your Honor has any questions or concerns with regard to this request, please do not hesitate to call me. Thank you, as always, for your kind consideration of this matter.

Respectfully submitted,

s/ Lawrence S. Lustberg

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